6265650/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Disciplinary proceedings initiated against Sri D.Nehemia Babu, formerly Proh. & Excise Inspector (Retired on 30.06.2018) in three Liquor syndicate cases of Guntur District on the allegation of criminal misconduct and criminal conspiracy–Orders dated 01.07.2022 in W.P.No.24743 of 2021 passed by the Hon'ble High Court- Implemented- Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.674 **Dated:18-08-2022**

Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.15/RCO -VGT/2012, dt.08.10.2012.
2. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.61/RCO -VGT/2012, dt.12.11.2012.
3. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.14/RCO -VGT/2012, dt.10.10.2012.
4. Govt.Memo.No.45926/Vig.V(2)/2012-1, dt.16.01.2013 of the Rev(Vig.V)Dept.
5. Govt.Memo.No.51902/Vig.V(2)/2012-1, dt.16.01.2013 of the Rev(Vig.V)Dept.
6. Govt.Memo.No.45965/Vig.V(2)/2012-1, dt.16.01.2013 of the Rev(Vig.V)Dept.
7. From T.D.P., A.P., TEC Nos.120/2013 dt.21.06.2017, 146/2013, dt.10.11.2017 and 173/2013, dt.15.12.2017.
8. From the High Court, orders dated 01.07.2022 in W.P.No.24743 of 2021.

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ORDER:

Whereas it was brought to the notice of Government that, Sri D.Nehemia Babu, formerly Prohibition & Excise Inspector (Retired on 30.06.2018), while in service, was involved in three disciplinary cases pertaining to liquor syndicate cases of Guntur District along with the other Prohibition and Excise officials. After conducting detailed inquiries, the Director General, Anti Corruption Bureau, in his report reference 1st , 2nd & 3rd read above recommended to place Sri D.Nehemia Babu on his defense before the Tribunal for Disciplinary proceedings in all the three cases.

2. And whereas after careful examination of the recommendations of the Director General, Anti Corruption Bureau, Government have taken a decision to entrust the said cases against him to the Tribunal for Disciplinary proceedings in the references 4th, 5th & 6th read above. Accordingly, Charge memos were issued against him.

3. And whereas, Sri D.Nehemia Babu was accorded sanction only provisional pension @75% (seventy five percent only) of normal pension entitled under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980, after he was retired on 30.06.2018, due to the above pending charges. However, the payment of entire Death-cum-Retirement Gratuity and other pensionary benefits admissible to the above Retired Officer shall be kept in abeyance till the final orders issued in disciplinary proceedings pending against him.

4. Aggrieved by the charge memos, Sri D.Nehemia Babu has fled W.P.No.24743 of 2021 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court was pleased to pass the following orders dt.01.07.2022 (operative portion):

> "There shall be an order as prayed for and the disciplinary proceedings vide Tribunal Enquiry Case No 120/2013 dated 21.06.2017; Tribunal Enquiry Case No 146/2013 dated 15.09.2017 and Tribunal Enquiry Case No 173/2013 dated 27.11.2017 issued by the 3rd respondent respectively are quashed; consequently direct the respondents to release full pension, Gratuity and Encashment of Earned Leave with interest 7% p.a. from the date of petitioner's superannuation till payment made; within a period of Eight (08) weeks from the date of receipt of a copy of this order."

Contd.,2

5. Government after careful examination of the matter and in compliance with the order dated 01.07.2022 in W.P.No.24743 of 2021 hereby accord sanction to release full pension, Gratuity and Encashment of Earned Leave with interest 7% p.a. from the date of the date of receipt of order of High Court till payment made.

6. The Commissioner of Prohibition and Excise shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To
Sri D.Nehemia Babu, formerly Prohibition & Excise Inspector through the Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
The Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The Government Pleader for Services-I, Andhra Pradesh High Court, Amaravati w.r.t. W.P.No. 24743 of 2021.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, Tribunal for Disciplinary proceedings, Andhra Pradesh, Hyderabad.
Sc/Sf.

//FORWARDED:: BY ORDER//

R. Vijay Kishore
SECTION OFFICER